Previous references.

1905-06
(Courts)

File No. 198/06/05

Serial Nos. 1 — 11

Later references.

Cts 32 of 06
Sls 1-4.
Cts 32-06 Sls 5-6
B. Feb. 1907
Cts 41-07 - 46.
Cts 11 & 09. 11-04
Cts 159-10 - 14

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 11

Part B. for April 1906

SUBJECT.

Defence of Mr V. Gopaul Rao, Amildar of Chicknaikanhalli, before the Principal Munsiff of Bangalore, at Govt cost in the suit filed against him and two Head Constables by Munisubbaiah

11 | To the Inspector-General of Police in Mysore, Government Order No. J. 2962—Cts. 198-11, dated the 24th April 1906.
Declines to interfere with the jurisdiction of the Civil Courts of Justice in the manner suggested by the Inspector-General of Police as the existing protection in Sections 41 and 42 of the Police Act V of 1861 is sufficient and that the Draft Police Regulation will, when passed, afford more protection to Police Officers and Magistrates.

Defence of Mr. V. Gopal Rao, Amildar of Chiknayakanhalli, before the Principal Munsiff of Bangalore at Government cost in the suit filed against him and two other constables by one Munisubbaiya.

1 From the District Magistrate of Tumkur, dated Camp Mysore, the 31st January 1906.
Forwards for favor of necessary action copy of his letter to the Inspector-General of Police in the matter and suggested the issue of a wire to the Government Advocate to move the Court concerned for an adjournment.

2 To the Public Prosecutor, Bangalore Division, No. J. 2186—C. 198-2, dated the 8th February 1906.
Requests him to obtain for and furnish Government with a copy of the plaint in the case, with information as to the date to which the case has been adjourned and the stage at which it stands.

3 From the Deputy Commissioner, Tumkur, No. 707, dated the 8th February 1906.
Forwards copy of his letter to the Inspector-General of Police stating that the case has, at the request of Mr. Gopal Rao, been adjourned to the 19th February 1906 and that if the Inspector-General deems it desirable, early action may be taken to undertake the defence at Government cost.

4 From the Inspector-General of Police in Mysore, No. 4080—443, dated the 10th February 1906.
States the circumstances under which Mr. Gopal Rao searched the house of Munisubbiah and requests that early orders may be passed as to his defence at Government cost.

5 To the Inspector-General of Police in Mysore, the Deputy Commissioner of Tumkur, and the Public Prosecutor, Bangalore, Government Proceedings No. J. 2260-2—Cts. 198-5, dated the 20th February 1906.
Sanctions the defence of Mr. Gopal Rao and the two Head constables in the case in question at Government cost and requests the Public Prosecutor to submit a copy of the written statement proposed to be filed.

6 From the Public Prosecutor, Bangalore, No. dated the 3rd March 1906.
Forwards a copy of the statement and states that the case has been adjourned to the 8th instant.

7 To the Public Prosecutor, Bangalore, and the Inspector-General of Police in Mysore, Government Proceedings No. J. 2420-1—Cts. 198-7, dated the 7th March 1906.
Records with the remark that the Public Prosecutor should appear also for the other defendants, *viz.*, the two Head constables.

8 From the Public Prosecutor, Bangalore, dated the 16th March 1906.
Forwards for information and approval copies of the written statements filed by two Head constables in question and states that the case is posted to the 31st May 1906 for disposal.

9 To the Public Prosecutor, Bangalore, No. J. 2539—Cts. 198-9, dated the 23rd March 1906.
Records the above with the remark that the result of the defence should be reported in due course.

10 From the Inspector-General of Police in Mysore, No. 4871—535, dated the 23rd March 1906.
Forwards copies of written statements filed by the two Head constables in question before the Principal Munsiff of Bangalore and states that it is undesirable to allow Civil Courts to entertain complaints against Government officials for acts done in their official capacity without reference to the Head of the Department to which they belong.

G. R. S. 11] 1905 06

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

File. No 158

FILE HEADING.

Defence of Mr. V. Gopal Rao, Amildar of Chickanaikanhalli, in the Principal Munsiff's court at Bangalore, at Suit filed against him & 2 Head Constables by one Munisubbaiya

From

The District Magistrate of Tumkur

No. Dated 31/1/06 Received 2/2/06

Diary No. 2080	Enclos. one	Spare Copies. –	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for favour of necessary orders copy of Gopal Rao's memo detailing the circumstances under which suit has been filed against him and of the Dy Commr's letter the matter to the Asst Counsel of State.

NOTES AND ORDERS.

1 The case was to come up for hearing on the 18th instant, but the reference was received only on the 2nd.

Submit for orders. 2 The suit being filed against the late City Inspector & the Head Constables

3/2/06 SM 3/2/06

Notes—First sheet.

MGCPB—30,000—17-2-05.

G.R.S. 12] General and Revenue Secretariat.

File No. 1996 of 1905

Serial No.	
	~~[illegible]~~ In their Official capacity it is not competent to the Munsiff to entertain it. Vide S. 229 of the Land Revenue Code.
	3 We may ask the ~~[illegible]~~ Public Prosecutor to ascertain to what date the case has been adjourned, & to obtain a copy of the plaint for the information. I do not think we can do anything more in the absence of further details.
	4 Putup a draft.
	5 Draft submitted
	6 Passed
	Draft issued
2	To the Public Prosr, Bangalore Division Requests him to obtain & furnish us with a copy of the plaint in the case, with information as to the date to which the case has been adjourned & the stage at which it stands.
3	From the Deputy Commr of Tumkur No. 707 of the 8th Feby 06. Forwards copy of his letter to the

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905.

Serial No.

Dep^r General of P^ce in Mysore stating that the Case has, at the request of Mr Gospel Rao made this his pleader, been adjourned to the 15th Feby 06 & that, if the Dep^r General deems it desirable, early action may be taken in the matter of the defence of Mr Gospel Rao. at first cost.

4. From the Dep^r Genl. of P^ce in myon No. 1080/443 of the 10th Feby 06.

States the circumstances under which Mr Gospel Rao searched the house of Messrs Galbraith & requests that early orders may be passed in the matter of the defence of Mr Gospel Rao. at first cost.

7 The Inspector General has also forwarded a copy of the plaint in the case.

8 The plaintiff [redacted] says that the Head Constables of the Kolar gold fields, for no reason whatever, broke open 8 of the locks of the house & shop situated in Bangalore, [redacted] on the 15th April 1904, [redacted] and after a search made therein, carried away with them some gold ornaments and some pieces of bar gold and [redacted] ordered them to be forwarded to the Geological Officer that thinking that these [redacted] should not be

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 198 of 1905.

Serial No.

returned to the plaintiff, they cut these to pieces; that this has caused a reduction in the weight thereof, which has been brought to the notice of the City Magistrate, through whom they were eventually returned; that the defendants went so far as to threaten the plaintiff that in case he did not allow the defendants to search the premises as they liked, they would let in Hakeems for the purpose: that on account of these acts of the defendants he has suffered damages to the extent of Rs 503/8/0. as follows:—

On account of the loss of weight in gold	113-0-0
for making charges for removing the ornaments	20-0-0
For damaging the locks	20-0-0
For damage suffered by the loss of the defendants	350-0-0
	503-0-0

9 Last Fridays. The case has been adjourned to the 11/12/05 11/12/05 of the instant.

10 The defence of the suit at the cost of Govt. may be sanctioned. A copy of the written statement when filed should be called for. Proceedings

12.206.

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905

Serial No.

Draft Ord
12/2/06 12/2/06

Secy 12-2-06

11 Draft submitted to the Dewan Sahib thro the 2nd Councillor 12.2.1906

98/12.2.06. 12 The suit may be sanctioned to be defended at Govt cost

12/2/06

Draft Ord 23/2/06

3.2.1906 12/2/06 P14.2.06

11292/14.2.06 5 Govt Orders No. J 2260-2 dt 20/2/06, to the Asst Govt Pleader, City Civil Court Bangalore sanctioning the defence of the Govt Road Cess & the 2 Head Constables in the case in question at Govt cost & requesting the Pub. Prosr to submit a copy of the written statement proposed to be filed.

6 From the Pub: Prosr:, Bangalore, No. 2 of the 3rd March.

Forwards copy of the statement for the defence & states that the case has been adjourned to

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12j
General and Revenue Secretariat.

File No. 158 of 1905

Serial No.

The 8th instant
Lib for orders

5/8/06 13 Record with the remark that the Public Prosecutor should also appear for the other defendants (the Head Constable) 7.8.06

Draft Subs for approval
7/8/06. Lib 7.8.06
7/8/06 15 Passed
Draft Issued 7.8.1906

Record 7/8/06

7 Put Proc No. J 2420-1 8/8/06. to the Public Prosr, Bangalore & the Dy Inspr General of Police in myore

8 From the Public Prosr, Bangalore,
dt the 7th March 1906.

Forwards for information & approval copies of written statements filed by the 2 Head Constables in the question & states that the case is posted to the 31st inst for disposal
16 Subs ~~with~~ draft & requests the statements may be returned

17 8.8.06
8/8/06

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905.

Serial No.

18

19 Passed 21.3.1906

9 To the Police Supt, Bangalore No. J2539 dt 23/3/06.

Records & No. 8 with the remark that the result of the defence should be reported.

10 From the Asst General Mgr Mysore No. 4871/5385 dt 23/3/06.

Forwards advance copies of written statements filed before the Principal Munsiff of Bangalore by the 2 head Constables in question & brings to notice the undesirability of allowing Civil Courts to entertain complaints against Govt officials for acts done in their official capacity - without reference to the Head of the Dept to which they belong.

20 Submits for orders. The Asst General suggests that an order may be issued to the effect that in all such instances, the Civil Courts should submit the case for the orders of Govt before taking them on their files. -

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 154 of 1905-06

Serial No.

21 There is a provision in the Land Revenue Code, which please look up. Let me see also the new Draft Police Regn, & the Police Act of 1861 in force in Bangalore (about notice & limit of amends etc)

5.4.06

The reference called for are herewith

19/4/06 22 Such protection as the law considers desirable has been secured to Police officers in sections 42 & 43 of the Police Act V of 1861 which is the law in force in the Bangalore City. Under these sections, the time within which suits can be brought is limited to three months from the date of the act complained of; one month's notice before commencing the action is prescribed; & other restrictions are laid down, such as the bar of damages & of costs in certain cases; and the plea of acting under warrant is made an absolute justification. The draft Police Regn (which will apply to the whole State when passed) goes further, & saves Police officers & Magistrates from suits & prosecutions on account of

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 198 of 1905-06

Serial No.

acts done in good faith in pursuance or intended pursuance of a statutory or other lawful duty or authority. (Vide ~~Section 79-81~~)

These provisions are, in the opinion of Govt, sufficient to afford reasonable protection to Police Officers; & they are not prepared to interfere with the jurisdiction of the Civil Courts of Justice in the manner suggested by the Inspr General of Police.

23 Draft an order accordingly

24 Drafted

13/4/06

Todkar Asst 20/4

13/4/06

25 The existing protection is sufficient for all practical purposes & the draft Police Regulations afford more ample protection. The draft may be approved.

20/4/06 20/4/06

13-4-1906

26 The Inspector General of Police.

11 Revd 2962/Lets 198-11/D 240 .06

Declines to interfere with

Note—Contn. sheet

GPB—50,000—23 10-05

G.R.S. 12]

General and Revenue Secretariat.

File No. 198 of 1905-06

Serial No.	
	the jurisdiction of the Civil Courts
	of justice in the manner suggested
	by the D.G. of Police as the existing
	protection in Sections 42 & 43 of the
	Police act V of 1861 is sufficient for
	all practical purposes and that
	the draft Police Regulation will
	when passed, afford more protection

NOTE—Contn. sheet

GPB—50,000—23 10-05

in the matter seems desira-
ble.

Ag J. Royalu Chetti
for Dy Commr.

Copy"

F. no: 198
S. no: 1

Srinivasulu
Re St Sheikadam

J 2060

The undersigned begs to forward this to the Secretary to Govt. Rev. & Gen! Depts for such action as may be necessary. It is learnt that the Inspector General of Police is at the Kheddahs - the search by the Police was under the provisions of the Code for what the Amildar states but as it occurred in the Bangalore District - undersigned does not know the particulars. Begs to suggest a note to the Govt advocate to move for an adjournment.

Yours
Dy Commr

Comr's Office
31-1-06.

To Branch III
2/2/1906
2-2-06

U.S. is just starting for Bangalore there & he is to make a few enquiries & then

Copy of letter No: 527 dated 30th January 1906 from the Deputy Commissioner, Kolar District to the Inspector General of Police in Mysore, Bangalore.

I have the honor to forward herewith for disposal, report No: 527 dated 29th instant in original with its enclosure received from Mr. V. Gopala Rao Amildar of Chikmaikanhalli praying that the suit lodged against him by Munisubbaiya in the Court of the Principal Munsiff of Bangalore may be defended at Government Cost.

As the hearing of the suit is reported to be fixed for the 1st Proximo, early action

Chickmaikanahalli
29. 1. 06

From

V. Gopal Rao
Amildar
Chickmaikanahally.

To

The Deputy Commissioner
Tumkur District

Sir

When I I have received summons from the Principal Munsiffs' Court at Bangalore in a suit in which I along with two Head Constables of the Kolar Gold Fields have been sued for damages to the extent of Rs 503/- by one Munisubbiah of Bangalore for having searched his house on suspicion. The suit is comes off on the 1st February 06 for hearing. I herein enclose for your kind perusal a memo showing the details of my action for which damages are now claimed & humbly beg

beg that you will be pleased to forward the same to the Inspector General of Police and move him to kindly arrange at an early date for my being defended at Government cost.

I beg to remain
Sir,
Your most Obedient Servant

(Sd.) V. Gopal Rao
Amildar

"Copy"

enc

On 19.4.1904 Head
Constables Raghothma Ra
& Anderson of the Kolar
Gold fields Came to me
in Bangalore City as I
was then City Police Inspecto
and told me that they
had received information
that Komarali Muni
Subraiah a merchant
of Chintamani now
living in Bangalore
City has in his possession
a large quantity of Kolar
mining Gold and asked
me to help them in making
~~in making~~ a Search of
his house & Shop. I
accordingly accompanied
Head Constable Anderson
who took me to the house
of

of mem Subbaiah and b
helped him in Searching
the house in the presence
of a few Chayal-. Head
Constable Rajhothma Roo
joined us later on, and
during the Search of the
Shop. Head Constable
Anderson Suspected a
newly made gold necklace
and a few pieces of bar
gold to have been of Kolar
mining Gold, and wanted
them to be Seized & sent to
the Geological office for
analysis with a view to
ascertain that it is
mining Gold. Complying
with his request I seized
the property, prepared
an usual mahazar,
Sealed the packet &
reported the Seizure to
the City magistrate. The
packet was then
forwarded at my
request to the State
Geologist

7 Geologist for analysis
of the gold + for Certificate
I remained in charge
of the City Police till
April 1905 when I was
transferred to my present
appointment and I do not
at present remember if
any order was received
in Connection with the
property. From the above
facts which I have already
reported in my diaries
while City Police Inspector
it will be seen that my
action in the affair is
not in the least illegal
but on the contrary
perfectly honourable in the
discharge of my official
duties.

The said Muni
Subbaiah has now preferred
a suit for damages to the
extent of Rs 503/ against
Head

Head Constables Rajhothma & 8
& Anderson and myself
as the 1st 2nd & 3rd defendants
and a Copy of the Plaint
is herewith attached* —
for perusal. The Suit
comes on the 1st February
1906 for hearing. It is
needless to me to State how
very discouraging & —
detrimental to the efficiency
of work of Police officers
it is to be thus proceeded
against by private —
individuals even in Cases
where the actions are —
merely in the interests
of Government work &
involve no infringement
of law.

* not received

Under these circum-
stances I beg to Submit
that I am deserving of
the Concession of being
defended at Government
Cost & pray that the Same
may be kindly ordered
so that I may not have
to Suffer for having
discharged

I discharged my duties
honestly & Conscientiously

(Sd) V. Gopala Rao
29.1.1906. Amildar
Chickanaikanahally

Copy

G.R.S. 26

File No. 158

Serial No 2

Diary No. of letter replied to _____

No. J 2186.

General and Rev. Secretariat
(Courts.)
, *the* 190 .

To

The Public Prosecutor
Bangalore Division.

Date of issue 8/2/06

Signed by Under Secretary

Sir,

I am directed ~~to state~~ that it has been reported that one Munibasaiya of Bangalore has filed a suit in the Principal Munsiff's Court, Bangalore for damages to the extent of Rs 5000/- against the A.R.V. Gopal Rao, Amildar of Chickmaikenhally and 2 head Constables of the Kolar Gold Fields for having searched his house, on suspicion. As a copy of the plaint has not been received the reference sent to Government in the matter by the Deputy Commissioner of Bangalore, I am to request the

over.

SUBJECT.

11

therefore

You to obtain and

~~[illegible]~~ furnish ~~the Govt with~~ a copy

of the plaint ~~in the Case~~, with

information as to the date to

which the Case, which had been

posted for hearing on the 15th

February 1906 has been adjourned

& the Rate in which it now is

I have te

6.2.1906

Secretary

NB 6/2/06

List of enclosures,

Copied by 7/2/06.

Examined by 7/2/06

MGCPB—20,000-19-12—04.

Ks... ? III ? 1905-06. 2098
Nov 6 10-2-06.

From

The Deputy Commissioner
Tumkur District

To

The Secretary to the Government
of H. H. the Maharaja of Mysore
Genl. & Rev. Depts.

Dated

Despatched 3 8th February 1906
9th

Received

General No. 707
No.

Enclosure No. One

Forwarding copy of letter to the Inspector-General of Police in Mysore in re the suit against Amildar Mr. V. Gopala Row.

Office of the Deputy Commissioner
Tumkur District
Dated Tumkur 8th Feb: 1906.

F. no: 198
S. no: 3

From

K. Doraswami Iyer Esq
Deputy Commissioner
Tumkur District

To

B. K. Venkata Varada Iyengar Esq
Secretary to the Government of
H. H. the Maharaja of Mysore
Genl & Rev. Departments

Sir,

In continuation of my communication from Camp Mysore dated the 1st Instant re the suit brought against Amildar Mr. V. Gopala Row and two other Police Officers of the Kolar Gold Fields, I have the honor to forward herewith for information Copy of

of letter no 413 dated 8th
Instant addressed to the
Inspector-General of Police
in Mysore on the subject.

I have the honor to be
Sir,
Your most obedient servant
Signature illegible
for Deputy Commissioner

Copy of letter no: 413 dated 8th inst. from the Deputy Commissioner, Tumkur District to the Inspector General of Police in Mysore, Bangalore.

In continuation of this office letter no: J. 397 dated 30th ultimo re the suit brought against Amildar Mr. V. Gopala Row and two other Police officers of the Kolar Gold Fields by Munisubbayya of Bangalore, I have the honor to inform you that Amildar Mr. Gopala Row moved the Court of the Principal Munsiff of Bangalore through a pleader Mr. H. Krishnappa to grant an adjournment

till

till the 19th Instant and that the Case has been adjourned accordingly.

2. As already requested if the Inspector-General deems it desirable, early action may be taken to undertake the defence at Government Cost.

"Copy"

Asst Secretary

For Deputy Commissioner

1905-06.

J 2105

From,

The Inspector General of Police
in Mysore.

To,

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Genl: & Rev: Departments.

Dated. 10'

Despatched. 10' February 1906

Received.

General No: 4080
No: 443

Enclosure No: 4

Requesting that Mr: V. Gopal Rao Amildar of Chickmagalurkanhally may be defended at Govt: cost in a suit lodged against him by one Munisubbiah of Bangalore.

16 J 2105

No: Home Em 4 / 443

Office of the
Inspector General of Police in Mysore.
Dated, Bangalore, 10th February 1906.

J. no: 198
S. no: 4

From,

F. E. C. Carr Esquire,
Inspector General of Police
in Mysore.

To,

B. K. Venkatavaradaiengar Esquire,
Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

I have the honor to forward herewith copies of letter No: 397 dated 30th January 1906 and enclosures from the Deputy Commissioner, Tumkur, requesting that in a suit for damages lodged against Mr. Gopal Rao, acting Amildar of Chicknaikanhally, by Munisubbiah of Bangalore, he may be defended at Government cost.

On information furnished by the Detective Police of the Kolar Gold Field, that Munisubbiah was in possession of mine gold, Mr. Gopal Rao who was then City Inspector searched the house of the said Munisubbiah and found therein some gold which was certified by the State Geologist to be mine gold. The case was charge-sheeted by the Police, but owing to want of clear evidence to show that the individual came by the gold dishonestly, it was with-drawn. Mr. Gopal Rao all along acted purely in the interest of Government and I therefore consider that in the suit now filed by the complainant, he should be defended at Government cost.

No: 397.

Office of the Deputy Commissioner
Tumkur District.
Dated, Tumkur, 30th January 1906.

From,

K. Dorasami Iyer Esquire,
Deputy Commissioner,
Tumkur District.

To,

F. E. C. Carr Esquire,
Inspector General of Police
in Mysore.

Sir,

I have the honor to forward herewith for disposal report No: 327 dated 29th instant in original with its enclosure received from Mr. V. Gopal Rao, Amildar of Chicknaikanhalli, praying that the suit lodged against him by Munisubbiah in the Court of the Principal Munsiff of Bangalore may be defended at Government cost.

As the hearing of the suit is reported to be fixed for the 1st proximo, early action in the matter seems desirable.

I have &c.,
(Signed.) Royalu Chetty.
For Deputy Commissioner.

" C O P Y "

Inspector General of Police.

Chiknaikanhalli.

29-1-1906.

From

V. Gopala Rao

Amildar, Chiknaikanhalli.

To

The Deputy Commissioner,

Tumkur District.

Sir,

I have received summons from the Principal Munsiff's Court at Bangalore in a suit in which I along with two Head Constables of the Kolar Gold Fields have been sued for damages to the extent of ₹503/-. by one Munisubbia of Bangalore for having searched his house on suspicion. The suit comes off on the 1st February 1906 for hearing. I herein enclose for your kind perusal a memo showing the details of my action for which damages are now claim-ed and humbly beg that you will be pleased to forward the same to the Inspector General of Police and move him to kindly arrange at an early date for my being defended at Government cost.

I beg &c.,

Signed/ V. Gopala Rao.

Amildar.

"C O P Y"

To

The Inspector General of Police.

Memo.

On 19-4-1904 Head Constable Raghothama Rao & Anderson of the Kolar Gold Fields came to me in Bangalore city as I was then city Police Inspector and told me that they had received information that Komarali Munisubbaiya, a merchant of Chintamani now living in Bangalore city, has in his possession a large quantity of Kolar mining gold and asked me to help them in making a search of his house & shop. I accordingly accompanied Head Constable Anderson who took me to the house of Munisubbaiah and helped him in searching the house in the presence of a panchayet. Head Constable Raghothama Rao joined us later on, and during the search of the shop, Head Constable Anderson suspected a newly made gold necklace and a

bew

few pieces of bar gold to have been ob-
Kolar mining gold, and wanted them to be
seized and sent to the Geological Office
for analysis with a view to ascertain that it
is mining gold. Complying with his request
I seized the property, prepared an usual
Mahazar, sealed the packet and reported
the seizure to the city Magistrate. The packet
was then forwarded at my request to the
State Geologist for analysis of the gold
& for certificate. I remained in charge
of the city Police till April 1905, when I
was transferred to my present appointment
and I do not at present remember if any
order was received in connection with the
property. From the above facts which I
have already reported in my diaries,
while city Police Inspector, it will be seen
that my action in the affair is not

in

in the least illegal but on the contrary perfectly bonafide in the discharge of my official duties.

The said Mimisubbiah has now preferred a suit for damages to the extent of Rs 500 against Head Constables Raghothama Rao and Anderson and myself as the 1st, 2nd & 3rd defendants and a copy of the plaint is herewith attached for perusal. The suit comes off on the 1st February 1906 for hearing. It is needless to me to state how very discouraging & detrimental to the efficiency of work of Police Officers it is, to be thus proceeded against by private individuals even in cases where the actions are purely in the interests of Government work & involve no infringement of law.

Under these circumstances I beg to submit that I am deserving of

of the Concession of being defended at Government cost and pray that the same may be kindly ordered so that I may not have to suffer for having discharged my duties honestly and conscientiously.

(Signed). V. Gopala Rao.
Amildar.
Bhuvanakandally

Copy

To
The Inspector General of Police
Guty.

[illegible] ప్రథమ అదనపు సివిల్ జడ్జి [illegible]

O.S. - of 05.06.

వాది

[illegible]

ప్రతివాదులు.

1. [illegible]
2. [illegible]
3. [illegible]

వాది తీర్పు కోరుతూ వ్రాసిన దావా.

వాది యుజింకా మణుంవాదనున దభ్ యంశపర్వత శర్మ యంతు సాంప్రతం దనా నందిరుచే కైలి. ఖిం కామనియల్లాకోనేశ్వరలు ఆ వాదియు 1904 కైలు నిండిన్ప్రతీకింగల్లా ఖింగల్లు దినఆ యంతుకాండువ్వను.

1. ఇ కైప్రతివాదిగల్లు మొంలాంరదగిన రాల్లభ్ ఖ్యాల్లోకిన రాలభ్ ఖిక్షకరుగల్లు అనిరుకాండి. మక్క వికైప్రతివాదిలుఖింగల్లు యంతు నిండు ఖ్యాల్లోకిన్నారు.

2. ఈ ప్రతివాదిగల్లిద్దరు యంశేర్మిష్ఠ పర్వతాంవని 1904 కైయుల్లియ్ తి తే 19 కైకాంశిఖినల్లు ఖింగల్లు యంనల్లు వంరివ యందవ యంవిధ్యూక్తిక కన్న లు దశ్శే శేంద అంగతివగల్లకైశ్రువేశము యంతిలు లాగల్లల్లిలో రుుక్తిమ యంతియుండులు ఖిగగల్లులు వడదుంద యంతి. ల్లక్ష యంవస్థక్క. వ యంతి లూం వాదిమ్మకోఖింగదరుఆలిమ్మకోం ల్లుకళ్ళి వతవిగల్లకోశ్రీ. యుద తుదతంగిన ల్లక్షవుకన్న జ. శ్రీకేలలాభ్రంగా యందదకుంతుగల్లక్షశేగదుకోం ల్లంతు పెం యంనిఆలులగల్లక్షళియల యంళిక. తే లాల్ఖిబినిరా నకైపు యంతు వంశేపూ యంతిదలు.

3. ఈనగగల్లు నా ల్లుళులవల్లావందు నరంగేలుళు తుశుంత యంతి క. కైంతనిచ్చుల్లదిఆలదళ్ళ 5 ఎకరాలు యంతాంలు 21/2 లిసేకు యంక

ప్రసంగాలకు మళ్ళలేదు. ఇవ్వని జిల్లా మేజిస్ట్రేట్‌కు ఆదేశాలు ఇచ్చారు 2.5.04 రల్లా వాంఛ్నీయం కు. మీరట్టి ప్లేమోతీ ఆఫ్ రాగల్నుకోగ దుకో ఎంతలు ఎక్కువ మళ్ళీ ఆదిరువడుంగతినము ఎదిశిరుక్కి.

4. ఆలా ర్థశివాంగిగలు మోల్మంతరేశినతిగుల ప్రకారం సాంఘికయ ఎవరు ఆర్థనావు ఆలరతల్లా. మళ్ళరదిందలు ఈ వాంఛిని ఆవపూనవుంకో ఎంతరేయు ఎన్నతి ఎక్కువూ ఎత ఇకీకి ఎంబదురు ప్లేస్థరిందయా ఎలిసతినిదా స్థనిరుక్కి. ఆదరు ఆర్థనా ఆలా ఆక్రమళ్ళ స్థదిందవాంఛినిదంభవినిదనన్నకి. ఆలా ర్థశి వాంఛిగలు ఈవాబ్ధరాంనిరుకాగ్గాశే. ఈవాంఛియన్నేయ ఎవ కాంసుగ్గే ఆనుమతినియుందరింపు ఎంత్సినిచరతల్లా. మోల్మంతర ధ్వని ఆలారాంటి ఆలిద ఆలాలోతిమా ఎతియుతుకాగ్గాశే. ఆల్లనివా ఎతి ఆలాదురల్రుత్తికాంతదల్లాకే ధర్మక్కే ర్థశివా ఎతిగలుగ్గుతినే ఆల్లా మళ్ళ విళుక్కి. నావురుత్తిమా ఎతుక్కిపేయంచకే ధర్మళు. మళ్ళీయాం రంభిరాళ్ళరు మా ఎతిరుకాగ్గాంచకే ధర్మక్కే. ఆతిలాళ్ళకే ధర్మలవల్లా. మాంతిగరస్సువల్లక్కే. బళ్ళాసామా గ్గే ఆలా ఎంఘనిచ ఎంఘనుకోవోచకే ధర్మళు. ఆదరకాంర్థనా ఆలా ఆక్రమనుక్కళ్ళక్కే ధర్మం వాంఛియుతున్నకే ఆలారజీకాంఛుకు ఆర్థంగర ఆలాందాంవాంక్కే. కాంర్థనావాంఛులకు.

5. ఆక్రమకాంర ఆలా ర్థశివాంగిగల్లి ఆలా ఎతుంచనికిలు ఎతిగు గాంచకే ఆలాల్లిమీ ఒక్కే కాంలేఖనల్లానే ఎంతోమందగలుకే ఎళ్ళాతుకు క్కే. మళ్ళ ఆ కాంళలో ధ్వనిమెంటూగలు ఆలారజసంగతచ ఎంళరాళ్ళతికళ్ళే. ఆదాంసు ర్థశివాంగిగల్లాంరయ ఎంతరిమురక్ర ఎంచు ఎంరకే ఆలాళుతరిల్లా. ఆర్థరాంద 1906 కే ఆల్లామీ ఒక్కే ఎంతోమనలాం

గారి ఆలుకు ఈకి ఇంటినకరరుచ్చిన ఖ్ఖావ్ఖ్ఖిచ్చి రరణావుంటు ఇనిరుకై.

23 ధ్ఖివ్ఖింటేళగ్ఖిక్రాంధ్రధ్ఖి —

వెంరిసిదుల్లకక్ష్ఖ పరిహారరవివర —

దుంసి ధ్ఖిక్రికెవ్ఖ్ఖిబ్ధ్ధుంగారర క్రయాం —	113 — 8 — ఒ
రోనగముర రచ్చుకె ాని ధుర్ర మాతతువమళు — రి. —	20 — ం — ఒ
రిజోగల్లోక రచ్చుకె ాక్ష్ఖ	20 — ం — ఒ
క్రిశివారిగల్లు ఆక్రమక్ష్ఖ క్ష్ఖరుక్ష్ఖావ రిధ్ధిశేక్ష్ఖ. ఆక్ర మక్రిశేశమ రిచ్చుకె ాని వారి సేదుంభవినిదమా రనన్ఖ్ఖు ళక్ష్ఖోం టూల్గగల్లిగేకరుచువకు — రరశిత్రం చూ రృకె ాని క్రిశివారిగల్లిర ర రకక్ష్ఖ కె రిధ్ధి కోగ్ధి.	350 — ం — ఒ
ఆటల ం.	503. 8.

ఈమీ రలగుకు రిటల్లు ఖాళీ నిమక్ష్ఖలుకర నిందచాల్లిసారకు రిఖనినేయుక్ష్ఖకు రిరుగలుకరకరికారగల్లు సగక్రిశివారిగల్లిర వారిసేదల్లువంకె త్రిక్ర ఆక్ష్ఖుకేకు రిజఖకేకేర త్రిధ్ధిగ్ధి. ఆదుంసిక్రమ రిణావశ్యకరరులుళురుకై.

29.1.06 Copy

(Sd/-) V. Gopalakrao.

Copy

for Inspector General of Police.

From The Public Prosecutor
Bangalore Division
F. No. 178
S. No. 6

To The Secretary to the Govt of
H. H. the Maharaja of
Mysore, in the Revl & Genl
Dept

Dated

Despatched 3d March 1906

Received

General No.

No.

Enclosure No. one

Sir

With reference to the
Govt Proceedings No. J 2260-
2 dt 19 8-5 dated Bangalore
20th Feby 1906 - I have the
honor to forward herewith
a copy of the defence of
the 3d Defendant Mr V.
Gopal Row now Awarded

of Chickasawhay. The case has been adjourned to the 8th Instant to enable the defendants to file their defence in the case

I have the honor to be

Sir

Your most Obt & humble

Servant

Thomas Rice

Public Prosecutor

G.R.S. 28]

File No. 158
Serial No. 5

Diary No. of letter replied to J 2105.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Courts)

, *the* 190

Date of issue 20/2/06

Signed by By Secretary

READ.—

Correspondence ending with letter No. 4080/443 dated the 10th February 1906 from the Deputy Commissioner of Police in Mysore, soliciting the orders of Government for the defence at Government cost of Mr. V. Gopal Rao, Acting Amildar of Chick naikanhalli in the suit filed against him and 2 Head Constables of the V. Fields in the court of the Principal Munsiff of Bangalore by one Muni Subbanja of Bangalore, for damages said to have been caused to him by the search of his house instituted by Mr. Gopal

ORDER THEREON.—No.

248
15.2.06

Gopal

17.2.1906

over

SUBJECT

20/2/06

Rao, while he was Head Constable of Police, Bangalore, and the Constables in question, on suspicion of the plaintiff having been in possession of the stolen goods.

Order Sheet:— No. J 2260-2/ctst 98-5 D/2002-06.

The defence of Mr. Appal Rao and the Head Constables in question in the above suit at government cost is granted. A copy of the written statement proposed to be filed should be submitted early.

12/2/06

12/2/06

Secretary

To: The Asst. Inspr. General of Police in Mysore
The Dist. Magte of Dunkur
The Public Prosecutor, Bangalore Distt

NB SN 12/2/06

12/2/06 Copied 19/2/06

Examined. SN 19/2/06

In

The Court of the Principal Munsiff

Bangalore

O.S. No 619 of 1905-06

Plaintiff		Defendants
Munu Subbia	vs	1 Raghunatha Rao
		2 Anderson
		3 Gopal Rao

The written statement of the 3rd Defendant is as follows:—

1 That on 19th April 1904 the Head Constable Raghunatha Rao and Anderson of the Kolar Gold Fields, came to the Defendant in Bangalore City, as the latter was the City Police Inspector then and informed him that they had received information that Plaintiff who was then in the Bangalore City had in his possession Kolar Gaming Gold and asked this Defendant to help them in making a search of the Plaintiffs house. The 3rd Defendant therefore followed the 2nd Defendant to the Plaintiffs house

and a search was made in the presence of panchayatdars. The 1st Defendant joined the other Defendants and during the search, the 2nd Defendant suspected a newly made gold necklace to have been of Kolar cunning gold and required the same to be seized and sent to the Geological office for analysis. The 3rd Defendant therefore seized the same, prepared a Mahazar sealed the packet and reporting the seizure to the City Magistrate got the same forwarded to the State Geologist for Analysis of gold and a certificate in April 1905. The 3rd Defendant was transferred as Amildar and does not remember if any orders were received in connection with the property.

2 The 3rd Defendant denies having been actuated by any malice or motive set forth in the 4th para of the plaint and puts Plaintiff to the strict proof of the same.

3 The 3rd Defendant is not liable for any damage or damages which the Plaintiff may have sustained as the 3rd Defendant has done no more

than what he had to do in the bona fide discharge of his Public duties.

4 The 3rd Defendant does not know of Plaintiff has sustained any damages and puts Plaintiff to the strict proof of the same

5 All that is mentioned in the plaint is inconsistent with what is mentioned above is not true. The Defdt therefore prays that the suit against this Defdt may be dismissed with costs.

3rd March 1906
Bangalore

H Nanjundiah
Public Prosecutor
Bangalore Divn

G.R.S. 28]

File No. 698

Serial No. 7

Diary No. of letter replied to J 2274

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 190

Date of issue 7.3.06

Signed by the Dy Secretary

READ.—

(1) Govt order No J 2260-2, 8 dt 20-2-06, directing the defence at Govt cost, of his V. Gopal Rao and 2 Head Constables, in the civil suit ~~to have been~~ instituted by ~~to be~~ filed against them by one Munisubbiah, before the Principal Munsiff of Bangalore and requiring the early submission of a copy of the written statement proposed to be filed in the defence.

(2) Letter dated the 3rd March 1906 from the Public Prosecutor, Bangalore, forwarding a copy of the

ORDER THEREON.—No.

over

SUBJECT

MGCPB—9,000—11-9-04

Statement of the defence of Mr Gopal Rao, the 3rd defendant and stating that the case has been adjourned to the 8th March 1906, to enable the other defendants to get up their defence.

Order thereon: No. 2420-21 dt/ 7.3.06
cb 198-7

Recorded, with the Remark that the Public Prosecutor should appear also for the other defendants vis the two Head Constables.

7-3-1906

7/3/06 Secy.

To The Public Prosecutor, Bangalore
The Asst Judge of the Mysore

MD 7/3/06

LW 7/3/06

36 Judl 7/1/06 2360

1906

From The Public Prosecutor
Bangalore Division
Fr. No: 198
S. No: 8

To The Secretary to the Government of His Highness the Maharaja of Mysore in the Revl & General Departments

Dated
Despatched 3 16th March 1906 Camp Kolar
Received

General No.
No.

Enclosure No. Two

Sir,

With reference to the Government Proceedings Order No. J. 2260-2, dated the 20th February 1906, requiring me also to appear for the 1st & 2nd Defendants in O. S. No. 619 of 1905-06 filed by one K. Mune Subbia Chetty in the Court of the Principal Munsiff of Bangalore,—

I have the honor to forward herewith the Copies of the written Statements filed by the 1st & 2nd Defendants in the said Court for

for information and approval & further to intimate

that the case is posted for disposal to the 31st day May 1906

I have the honor to be

Sir

Your most obedient & humble Servant

A Hamad Rine

P. Pbi. Prosecutor

In.

The Court of the Principal Munsiff of Bangalore.

O.S.No:419 of 1905-1906.

Plaintiff.		Defendants.
K.Muni Subba Setty	VS	1.D.Raghothama Rao
		2.J.F.Anderson.
		3.V.Gopal Rao.

The 2nd defendants written statement is as follows;-

1.That the Defendant is not aware of the status of the Plaintiff or of his nativity and he is not aware of the circumstances under which Plaintiff was living at Bangalore.

2.That this Defendant is a subordinate Police officer on detective duty employed at the Kolar Gold Fields.

3.That information having reached the Superior officers of his de-partment, that the Plaintiff was illecitly trafficking in Kolar gold and was in possession of such gold, this Defendant was directed by them to go to Bangalore and effect a close search of the house of the Plaintiff with the aid of the Local Police officers and he did in obedience there to go and search the Plaintiffs house with the 3rd Defendant who seized 8 items of which 2 were newly made or-naments and 6 were small fragments of gold.

4.That it is true that for the purpose of the search some locks were broken open as Plaintiff was evasive in his answers and would not open the locks himself leading the parties engaged in the search to suspect him all the more.

5.That it is not true that the jewels that were seized were in use by the female members of the Plaintiffs family but were newly made once which the Police believed to have been made from Kolar gold

6. That this Defendant disavows that either in the matter of search or in the seizure he was influenced by any malicious motive and all that he did was above board and in the lawful execution of his duty.

7. That subsequent to the seizure the property seized was duly forwarded en bloc to the Geological Department for Analysis and this Defendant is not able to say in what form or how much of the gold sent was returned to the Plaintiff.

8. That there is no valid Cause of Action against this Defendant and he is not liable the Plaintiffs

9. That all the items of the gold seized were not subjucted to Analysis nor as a result of it was it proved that the gold seized was other than Kolar gold and this Defendant believes that the pro-secution of the Plaintiff was dropped more because the case could not be conclusively proved than that there were no reasonable ground to suspect the Plaintiff

10. That this Defendant admits he received a notice from the Plaintiff of an action contemplated against him dated the 6th March 1905 but pleads that it was not in strict compliance with the re-quirements of the law.

11. That the suit is barred by section 42 of Act V of 1861 and by the General provisions of the Limitation Act.

12. That the Plaintiff is not entitled to the several items of da-mages claimed and the same are excessive and remote.

13. That all the allegations made in the plaint inconsistent with the above are untrue.

14. That the Plaintiffs suit failing Defendant prays for the fore-going reasons may be dismissed with costs.

In,

The Court of the Principal Munsiff, Bangalore.

Original Suit No:6I9 of 1905-06.

Plaintiff.	Defendants.
K.Muni Subba Chetty.	I.D.Raghothama Rao.
	2.J.F.Anderson.
	3.V.Gopal Rao.

The Ist Defendant states as follows:-

I. That there is no cause of Action whatever against him as he had nothing to do with the seizure or search of the jewels from the possession of Plaintiff.

2. That the Ist Defendant was merely present at the conclusion of the search, after he had attended to some other work not connected with the Plaintiff.

3. That the Ist Defendant is not at all responsible for the amount claimed by the Plaintiff and he therefore prays for the reasons stated above that the ~~xxxxxx~~ Suit against him may be dis-missed with costs.

G.R.S. 28]

File No. 158
Serial No. 9

Diary No. of letter replied to J 2380

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Courts)

, *the* 190

Date of issue 23-3-06
with reference to Govt. Proc No. J 2420-9 the 15th March 06,

Signed by [illegible]
Under Secretary

READ.— Letter dated the 16th March 06, from the Public Prosecutor of Bangalore forwarding, for approval and information, copies of the written statements filed by the 2 head Constables of the K.G. fields, D. Raghottama Rao & J. Anderson, in O.S. No. 615 of 1905 on the file of the Principal Munsiff of Bangalore instituted by one K. Munisubbiah Setty of Bangalore. and stating that the case is posted to the 31st May 1906 for disposal.

over

ORDER THEREON.— No

SUBJECT

Order Memo:— No. J 2539/Ch 1908-9 dt 23.3.06

~~The Statements are~~
Recorded
~~approved~~. The result of the
defence should be reported in
due course.

21.3.1906

21.3.06 Secretary

To The Police Prosecutor Bangalore

No. [illegible]
20/3/06

Copied 22/3/06

Examined [illegible]

III 1905-06 J 2453

Mel 23/3/06

From

The Inspector General of Police

in Mysore

To

The Secretary to the Govt of

H. H. the Maharaja of Mysore

Genl. and Rev Depts.

Dated 23

Despatched 23rd March of

Received

General No 4871

No 538

Encl. No 2

Forwarding written statements of the Head Constable for the defence of the case filed by the Munsiff of Bangalore in the suit for damages brought against Mr: V. Gopal Rao by Mahomedsubbiah & bringing to the notice of Govt: the undesirability of allowing Civil Courts to entertain complaints against Govt: officials in their official capacity without reference to the Head of the Deptt: to which they belong.

Office of the

No: 4871 Ex 2 / 538 Inspector General of Police in Mysore.

Dated Bangalore, 23rd March 1906.
R. no: 158
S. no: 10

From

F. E. H. Hart Esquire,

Inspector General of Police

in Mysore.

To

B. K. Venkatavaradaiengar Esquire,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

Adverting to Government Proceedings No:

J 2260-2 / Hls 198-5 dated 20th February 1906, Sanctioning

the defence at Government Cost of Mr Gopala

Rao and two Head Constables of the Kolar

Gold Field, in the Suit for damages filed

against them by Munisubbiah, I have the

honour to state that a copy of the written statement

filed

filed by Mr. Gopala Rao called for by Government, has already been forwarded by the Public Prosecutor, Bangalore Vide Government Proceedings No. J 1420-21 dated 7th March 1906. Copies of the written Statements filed by the Head Constables are herewith forwarded for the information of Government.

I take this opportunity to bring to the notice of Government the undesirability of allowing Assaults and Civil Courts, to entertain Complaints against Government Officials in their official capacity, without reference to the Head of the Department to which the public Servants Complained against belong. ⊗ ~~This has~~ The effect of unnecessarily harassing Government Officers in the Public performance of their duties, and of lowering their prestige in the estimation of the public, whatever the results of the proceedings may be. To ensure bold and unfettered action

⊗ Such suits have

2.

action on the part of the Officers of Government in their work, it is essential that they should be protected against all such vexatious proceedings.

I would therefore propose that a ruling be issued to the effect that in all such instances Civil Courts should submit these cases for the orders of Government, before taking them on their file.

I have the honour to be,
Sir,
Your most obedient servant,

J. C. Clem
Inspector General of Police.
14.3.13.

In the Court of the Principal Munsiff
Bangalore.

OS No 619 of 1905-06.

Plaintiff

K. Muniswamiah Chetty.

vs

Defendant.

D. Raghothama Rao
2. J. F. Anderson.
3. V. Gopala Rao.

The 1st Defendant's written Statement is as follows:-

That there is no cause of action whatever against him as he had nothing to do with the search or Seizure of the jewels from the Plaintiff's possession.

That the 1st Deft. was merely present at the Conclusion of the search after he had attended to some other work not Connected with the Plaintiff

For the reasons Stated above the 1st Deft is not at all responsible for the amount claimed by the Plaintiff and he therefore prays that

that the Suit against him may be

dismissed with Costs

8.3.06. (Signed). D. Raghothama Rao.

Copy

Inspector General of Police.
11.3.

In the Court of the Principal Munsiff, Bangalore.

OS. No 619 of 1905-06

Plaintiff

K. Munisubbaiah Chetty.

Defendants.

1. D. Raghothama Rao
2. J. T. Anderson.
3. V. Gopala Rao.

The 2nd Defendant's written statement is as follows:-

1. That this Defendant is not aware of the status of the Plaintiff or of his nativity and he is not aware of the circumstances under which the Plaintiff was living at Bangalore.

2. That this Defendant is a subordinate Police Officer on detective duty employed at the Kolar Gold Fields

3. That information having reached the Superior Officers of his Department That the Plaintiff was illicitly trafficking in Kolar Gold and

was in possession of such gold this Defendant was directed by them to go to Bangalore and effect a close search of the house of the Plaintiff with the aid of the local Police Officers and he did in obedience thereto go and search the Plaintiffs' house with the 3rd Defendant who seized 8 items of which 2 were newly made ornaments and 6 were small fragments of gold.

4. That it is true that for the purposes of search some locks were broken open as Plaintiff was evasive in his answers and would not open the locks himself leading the parties engaged in the search to suspect him all the more.

5. That it is not true that the jewels that were seized were in use by the female members of the Plaintiffs family,

but

but were newly made ones which the Police believed to have been Converted from Kolar Gold.

6. That this Defendant disavows that even in the matter of Search or in the Seizure he was influenced by any malicious motive and all that he did was above board and in the lawful execution of his duty.

7. That Subsequent to the Seizure the property Seized was duly forwarded en bloc to the Geological Department for analysis and this Defendant is not able to say in what form or how much of the Gold Sent was returned to the Plaintiff

8. That there is no valid Course of action against this Defendant and he is not liable to the whole or any portion of the Plaintiff's Claim.

9

9. That all the items of sold seized were not subjected to analysis nor as a result of it was it proved that the gold seized was other than Kolar gold and this Defendant believes that the prosecution of the Plaintiff was dropped, more because the case could not be conclusively proved, than that there were no reasonable grounds to suspect the Plaintiff.

10. That this Defendant admits that he received a notice from the Plaintiff of an action contemplated against him, dated the 6th March 1905, but pleads that it was not in strict compliance with the requirements of the law.

11. That the suit is barred by Section 42 of Art. 5 of 1861 and by the General Provisions of the Limitation act.

12

12. That the Plaintiff is not entitled to the several items of damages claimed and the same are excessive and remote

13. That all the allegations made in the Plaint inconsistent with the above are untrue.

14 That the Plaintiff's suit failing, Defendant prays for the foregoing reasons; may be dismissed with costs.

(Signed). J. T. Anderson.

Copy

Inspector General of Police

G.R.S. 28]

File No. 158

Serial No. 11

Diary No. of letter replid to J 2453.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Police)

, *the* 190

Date of issue 26.4.06

Signed by Sir H. Ramaiya

READ.—

Letter No. 4871/538 dt. the 28th March 1906 from the Inspr. Genl. of Police in Mysore forwarding copies of the further reports called by the Head Constables seeking to have to be undecided to allow Municipl. & Civil Courts to entertain suits against

ORDER THEREON.—No

Govt. officials ~~in their~~ for acts done in their official capacity without reference to the Head of the Dept. to which the official belongs; that such suits have the effect of unnecessarily harassing Govt. officers in the performance of their

over

SUBJECT

A in the suit ordered the defendant at first cost in Go No 2760-2 dt 20-10-05

MGCPB—20,000—24-2-05

public duties & of lowering them
in the estimation of the public; and requiring
that, to ensure bold & unfettered
action on the part of the public
officers in their work, it ~~an order~~
~~may be issued to the effect that~~
~~in all such instances~~ Civil Courts
may be ordered to withhold such
leave for the orders of Govt before
taking them on their files.

Order Nisi — J2562/Cts 198-11 & 24-4-8

The Government
observe that such protection
as the law considers desirable
~~already sought~~
~~has been granted to public officers~~
in Secs 42 & 43 of the Police Act
V of 1861, which is the law in
force in the Bangalore City. Under
these sections, the time within which
suits can be brought is limited
to three months from the date of
the act complained of; one month's
notice before commencing action is
prescribed and other restrictions

G.R.S. 27].

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

are laid down, such as the bar of damages & of costs in certain cases; and finally the plea of acting under a warrant is made an absolute justification. The Draft Police Regulation (which will apply to the whole State, when passed) goes further, and saves police officers and magistrates from suits & prosecutions on account of acts done in good faith in pursuance or intended pursuance of a statutory or other lawful duty or authority (vide S. 81).

2. These provisions are, in the opinion of Govt, sufficient to afford reasonable protection to Police officers; and they are not prepared to interfere with the jurisdiction of the civil Courts of justice in the manner suggested by the Supt. Govt. of Police.

BW
19.4.1906.

Secretary to the Govt of Police in Mysore

17/4/06

BW
18/4/06

23.4.1906

Copied & Examined 23.4.06.